Remarks

A.   <u>Cited Art</u>

U.S. Patent No. 6,546,419 to Humpleman et al. (*"Humpleman"*) entitled "Method and

Apparatus for User and Device Command and Control in a Network."

B.   <u>Background</u>

Claims 25-57 were rejected under 35 U.S.C. § 102(e) as being anticipated by

Humpleman. Applicants have amended the following claims 25, 28, 32, 33, 38, 40, 41, 51, 52,

53, and 54. Claims 35 and 56 have been canceled, and Applicants have added 58-62. Thus,

claims 25-34, 36-55 and 57-62 are pending in the application. The independent claims are 25,

32, 33, 38, 42, 48, 51, and 54. Reconsideration of the application is respectfully requested in

view of the foregoing amendments and following remarks.

C.   <u>Patentability of the Claims</u>

<u>35 U.S.C. § 102(e) - *Humpleman*</u>

Applicants respectfully note that independent claims 25, 32, 33, 38, 51, and 54 have been

amended. For at least that reason, Applicants request reconsideration of the pending claims.

Furthermore, *Humpleman* does not teach or suggest all of the elements of the pending

claims. For example, Humpleman does not teach or suggest "creating a definition of a controlled

device using an XML-based language, wherein the definition includes a service control protocol

definition" as recited in claim 25. As described in the specification, implementations of the

pending patent application involve "[c]ontrolling . . . Services [using] a message exchange

between a User Control Point and the device. This message exchange happens according to a

specific Service Control Protocol (SCP), which specifies the content and sequence of the

messages exchanged." (See Specification, page 44, lines 14-17).

"User Control Points are not required to have any prior knowledge of the SCPs required

to control the Services on the various devices. Therefore, a Controlled Device or Bridge must be

able to describe to a User Control Point the protocols required to control its Services, such that

the User Control Point will be able to implement these protocols dynamically. This requires a

standard way of declaring Service Control Protocols in a concise and unambiguous fashion."
(See Specification, page 44, lines 17-25).

The process of declaring Service Control Protocols involves "obtain[ing] a data
description or declaration of the methods, properties and events of the remote service, as well as
a definition of the protocol of network data messages through which the . . . methods, queries
[are invoked] or . . . the properties [set]. . . . [T]his data description takes the form of the
Description Document, which contains a Contract. The Contract defines network data packets
(e.g., XML data), request/response patterns, and protocol . . . via which the packets are
exchanged. This information is sufficient . . . to exchange the appropriate network data packets
to interact with the Controlled Device Service, including to invoke commands, query and set
properties, and receive and respond to events, without download of any executable code to the
User Control Point device and with a zero installation or configuration experience." (See
Specification, page 46). *Humpleman* does not teach or suggest a "a definition including a service
control protocol definition" or anything like it. Thus, claim 25 is not anticipated by *Humpleman*,
and is therefore in condition for allowance.

Independent claims 32, 33, 38, 42, 48, 51, and 54 respectively recite "storing a definition
of the computing device, the definition including a *series of instructions defining a protocol of
network data messages to define services through which the network data messages are
communicated*," "a second set of XML-based code strings that define one or more services
exposed by the device, *the second set of XML-based code strings including data to create service
specific data messages*," "a service description written in an XML-based language to describe at
least one service supported by the controlled device, *the service description describing how to
access the at least one service supported by the controlled device*," "a description means,
responsive to a description request received by the computing device on a network, for sending a
description message based on the description that *defines interaction via data messaging* with the
computing device over the network," "self-describing data stored in the memory and written in
an XML-based language, *the self-describing data describing how to operate the computing
device*," "multiple controlled devices configured to dynamically self-bootstrap onto the network,
individual controlled devices comprising a device description to describe attributes of the
computing device and a service description to describe one or more services exposed by the
computing device, *the device and service descriptions defining a messaging protocol*, the device

and service descriptions being written in an XML-based language," and "means for storing a definition of a controlled device, *the definition containing a device description to describe attributes of the controlled device and a service description to describe one or more services exposed by the controlled device.*" (Emphasis added). For at least similar reasons to the ones described above, Applicants respectfully submit these claims are in condition for allowance. The remainder of the claims (26-31, 34, 36-37, 49-41, 43-47, 49-50, 52-53, and 55-62) depend from an independent claim and are therefore, also, in condition for allowance.

D.   Conclusion

For at least the foregoing reasons, Applicants submit that the rejections asserted in the Office Action have been overcome. Therefore, claims 25-34, 36-55, and 57-62 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By _____

Gregory L. Maurer
Registration No. 43,781

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446